



Docket No.: 0010-1070-0

RCE # 1652

#16  
06/04/02

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF Vitaliy Arkadyevich LIVSHITS, et al.

GAU: 1652

SERIAL NO: 09/466,935

EXAMINER: D. STEADMAN

FILED: DECEMBER 20, 1999

FOR: NOVEL THREONINE RESISTANCE GENE

TECH CENTER 1600/2900

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## REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

This is a request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.

## Submission required under 37 C.F.R. §1.114

Previously Submitted:

- ☐ Consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on
- ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on

Enclosed:

- ☐ Amendment/Reply
- ☐ Information Disclosure Statement (IDS)
- ☒ Other: Preliminary Amendment w/Marked-Up Copy

FEES	RATE	CALCULATIONS
<input type="checkbox"/> Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of months.	\$130.00	\$0.00
<input checked="" type="checkbox"/> RCE Fee required under 37 C.F.R. §1.17(e)	\$740.00	\$740.00
<input checked="" type="checkbox"/> Fee for additional Independent Claims in Excess of 3		\$168.00
<input checked="" type="checkbox"/> Fee for additional Claims in Excess of 20		\$108.00
TOTAL OF ABOVE CALCULATIONS:		\$1,016.00
<input type="checkbox"/> REDUCTION BY 50% FOR FILING AS SMALL ENTITY		\$0.00
TOTAL:		\$1,016.00

☒ A check in the amount of **\$1,016.00** is enclosed☒ Please charge any additional Fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.☒ If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 CFR 1.136, and any additional fees required under 37 CFR 1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate of this sheet is enclosed.

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01 FC:179 740.00 OP  
02 FC:103 108.00 OP  
03 FC:102 160.00 OP



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DOCKET NO. 09-1070-0



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**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

IN RE APPLICATION OF

:

Vitaliy Arkadyevich LIVSHITS et al.

: GROUP ART UNIT: 1652

SERIAL NO: 09/466,935

: EXAMINER: D. STEADMAN

FILED: DECEMBER 20, 1999

: RCE FILED: HEREWITH

FOR: NOVEL THREONINE RESISTANCE GENE

**PRELIMINARY AMENDMENT**

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

Applicants are submitting herewith a Request for Continued Examination and therefore request entry of the following amendments.

**IN THE CLAIMS**

Please amend the claims as shown in the attached marked-up copy to read as follows:

--11. (Amended) An isolated bacterium belonging to the genus *Escherichia*, wherein said bacterium is modified to increase an activity of a protein which makes the bacterium harboring the protein L-threonine-resistant, and wherein the protein comprises the amino acid sequence shown in SEQ ID NO: 4.

12. (Amended) The bacterium according to claim 11, wherein said bacterium is further modified to increase an activity of a protein which makes the bacterium harboring the protein L-homoserine-resistant, and wherein the protein comprises the amino acid sequence shown in SEQ ID NO: 2.